

FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/HB 795](#)

TITLE: No Anchoring or Mooring Zones

SPONSOR(S): LaMarca

COMPANION BILL: [CS/CS/SB 594](#) (Rodriguez)

LINKED BILLS: None

RELATED BILLS: None

Committee References

[Natural Resources & Disasters](#)

13 Y, 3 N, As CS

[Commerce](#)

[State Affairs](#)

SUMMARY

Effect of the Bill:

The bill authorizes seaports to designate no anchoring or mooring zones for uninsured boats that have been anchored for more than 45 days in waters surrounding a seaport for specified purposes. The no anchoring or mooring zones may not exceed 1,500 feet from a seaport entrance or pier or wharf adjacent to a seaport channel or turning basin.

Additionally, the bill authorizes such seaports to apply to the Florida Fish and Wildlife Conservation Commission (FWC) to establish a no anchoring or mooring zone and requires the seaport to hold two public hearings prior to applying to FWC. The bill requires FWC to consult with certain agencies when considering an application for a no anchoring or mooring zone.

The bill requires each seaport to include any approved no anchoring or mooring zones that are in effect in its seaport security and strategic plans.

Fiscal or Economic Impact:

The bill may have an insignificant negative fiscal impact on FWC associated with reviewing applications for no anchoring or mooring zones as authorized by the bill.

[JUMP TO](#)

[SUMMARY](#)

[ANALYSIS](#)

[RELEVANT INFORMATION](#)

[BILL HISTORY](#)

ANALYSIS

EFFECT OF THE BILL:

The bill authorizes [seaports](#) to designate no [anchoring or mooring](#) zones for uninsured boats anchored for more than 45 days in the waters surrounding the seaport for the following purposes:

- Implementing port security measures.
- Ensuring freight and passenger commerce is not impeded.
- Promoting the safety and security of residents and visitors of the state.
- Maintaining and protecting the flow of legitimate trade and travel at all times. (Section [1](#))

The boundary of any designated no anchoring or mooring zone may not exceed 1,500 feet from a seaport entrance or pier or wharf adjacent to a seaport channel or turning basin. (Section [1](#))

Additionally, the bill authorizes such seaports to apply to the Florida Fish and Wildlife Conservation Commission (FWC) to establish a no anchoring or mooring zone. Before applying to FWC, the bill requires the seaport to hold at least two public hearings displaying the boundaries of the proposed no anchoring or mooring zone. FWC is required to consult with the United States Coast Guard, the U.S. Army Corps of Engineers, and the Department of Transportation when considering an application for, and the boundaries of, a no anchoring or mooring zone. When considering an application for a no anchoring or mooring zone, FWC may modify the proposed boundaries of such zone. (Section [1](#))

STORAGE NAME: h0795a.NRD

DATE: 3/26/2025

After approval of a no anchoring or mooring zone, the bill requires the seaport to review the no anchoring or mooring zone boundaries annually, and if necessary, submit a revised application to FWC with any proposed modifications to the boundaries. (Section [1](#))

The bill requires each seaport to include any approved no anchoring or mooring zones that are in effect in its [seaport security and strategic plans](#). (Section [1](#))

The effective date of the bill is July 1, 2025. (Section [2](#))

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill may have an insignificant negative fiscal impact on FWC associated with reviewing applications for no anchoring or mooring zones as authorized by the bill and with enforcing zones where no anchoring or mooring zones have been established.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Fish and Wildlife Conservation Commission

The Fish and Wildlife Conservation Commission (FWC), created by Art. IV, s. 9 of the Florida Constitution, is responsible for regulating, managing, protecting, and conserving the state's fish and wildlife resources. FWC is governed by a board of seven members who are appointed by the Governor and confirmed by the Senate.¹ Pursuant to its constitutional authority, FWC exercises the regulatory and executive powers of the state with respect to wild animal life, freshwater aquatic life, and marine life.

FWC is also the agency responsible for regulating boating safety in the state. Through its Division of Law Enforcement, FWC manages the state's waterways to ensure boating safety for residents and visitors to the state.² This responsibility includes enforcing boating rules and regulations, coordinating boating safety campaigns and education, managing public water and access to the waters, conducting boating accident investigations, identifying and removing derelict vessels, and investigating vessel theft and title fraud.³

Seaports

The seaports designated in statute include Jacksonville, Port Canaveral, Port Citrus, Fort Pierce, Palm Beach, Port Everglades, Miami, Port Manatee, St. Petersburg, Putnam County, Tampa, Port St. Joe, Panama City, Pensacola, Key West, and Fernandina.⁴ The designees of these seaports, the secretary of the Department of Transportation, and the Secretary of the Department of Commerce make up the Florida Seaport Transportation and Economic Development Council.⁵

Florida's 16 seaports, through cargo and cruise activities, support 900,000 direct and indirect jobs and contribute \$117.6 billion in economic value, representing 13.3 percent of Florida's Gross Domestic Product.⁶ Florida's seaport governing bodies may be municipalities, counties, or special districts.

¹ Art. IV, s. 9, Fla. Const.

² FWC, Boating, <https://myfwc.com/boating/> (last visited Mar. 15, 2025).

³ FWC, Law Enforcement, <https://myfwc.com/about/inside-fwc/le/> (last visited Mar. 15, 2025). See Section [327.70\(1\), F.S.](#) and Section [327.70\(4\), F.S.](#)

⁴ Section [311.09\(1\), F.S.](#)

⁵ *Id.*

⁶ Florida Seaport Transportation and Economic Development Council, *2023-2024 Seaport Mission Plan, 4*, available at <https://flaports.org/wp-content/uploads/2023-2024-Seaport-Mission-Plan.pdf> (last visited Mar. 17, 2025).

Seaport Security and Strategic Plans

Each seaport is required to adopt, maintain, and periodically revise, a seaport-specific security plan to provide for secure seaport infrastructure and to promote the safety and security of state residents and visitors and the flow of legitimate trade and travel.⁷

Additionally, each seaport is required to develop a strategic plan with a 10-year horizon, which includes information relating to economic development, infrastructure development and improvement, port-related intermodal transportation facilities, intergovernmental coordination, and the physical, environmental, and regulatory barriers that seaports face.⁸

Federal Seaport Regulations

Current federal regulations address vessel and port operations, including anchoring, port security, and vessel traffic.⁹ The Secretary of Homeland Security (Secretary) may construct, operate, maintain, improve, or expand vessel traffic services in any port or place under the jurisdiction of the U.S., in the navigable waters of the U.S., or in any area covered by an international agreement regarding vessel standards and traffic services.¹⁰ The Secretary may also control vessel traffic in areas subject to U.S. jurisdiction that are hazardous or affected by reduced visibility, adverse weather, vessel congestion, or other hazardous circumstances.¹¹ The Secretary may provide for local variances to account for the unique vessel traffic, waterway characteristics, and any additional factors appropriate to enhance navigational safety in any area where vessel traffic services are provided.¹²

Additionally, the Secretary may define and establish anchorage grounds for vessels in all harbors, rivers, bays, and other navigable waters of the U.S. whenever the maritime or commercial interests of the U.S. require such anchorage ground for safe navigation and the establishment of the anchorage ground has been recommended by the U.S. Army Corps of Engineers Chief of Engineers.¹³

Anchoring or Mooring

Anchoring or mooring refers to a boater's practice of seeking and using a safe harbor on the public waterway system for an undefined duration. Anchoring is accomplished using an anchor carried on the vessel, while mooring refers to attaching a vessel to a device that is permanently affixed to the bottom of a waterway.¹⁴ Anchorages are areas that boaters regularly use for anchoring or mooring, whether designated or managed for that purpose or not.¹⁵

Mooring Fields

Mooring fields are areas designated and used for a system of properly spaced moorings.¹⁶ Local governments are authorized by general permit to construct, operate, and maintain public mooring fields, each for up to 100 vessels.¹⁷ Mooring fields must be located in areas where navigational access already exists between the mooring field and the nearest customarily used access channel or navigable waters that the mooring field is designed to serve. Each mooring field must be associated with a land-based support facility that provides amenities and conveniences, such as parking, bathrooms, showers, and laundry facilities. Major boat repairs and maintenance, fueling activities other than from the land-based support facility, and boat hull scraping and painting are not authorized within mooring fields.¹⁸

⁷ Section [311.12\(2\)\(a\), F.S.](#); Section [311.13, F.S.](#), provides a public record exemption for seaport security plans.

⁸ Section [311.14\(2\), F.S.](#)

⁹ See 46 U.S.C. §70001 (2025); The federal rules include the regulation of federal safety zones, security zones, and regulated navigation areas. They also establish special anchorage areas, wherein vessels not more than 65 feet long are not required to carry or exhibit anchorage lights when at anchor. 33 C.F.R. §§109-110, 165 (2025).

¹⁰ 46 U.S.C. §70001 (2025).

¹¹ *Id.*

¹² *Id.*

¹³ 46 U.S.C. §70006 (2025).

¹⁴ Ankersen, Hamann, & Flagg, *Anchoring Away: Government Regulation and the Rights of Navigation in Florida* at 2, (March 2011), available at <https://repository.library.noaa.gov/view/noaa/36905> (last visited Mar. 15, 2025).

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ Section [373.118\(4\), F.S.](#); Rule 62-330.420(1), F.A.C.

¹⁸ Rule 62-330.420, F.A.C.

State Regulation of the Anchoring of Vessels

The Legislature has delegated the responsibility of managing sovereign submerged lands to the Governor and Cabinet, sitting as the Board of Trustees of the Internal Improvement Trust Fund (Board). Pursuant to this responsibility, the Board is authorized to adopt rules governing anchoring, mooring, or otherwise attaching vessels, floating homes, or any other watercraft to the bottom of sovereign submerged lands.¹⁹ The Board has not exercised its authority to adopt rules regulating anchoring.

Florida law prohibits a person from anchoring a vessel, except in case of emergency, in a manner that unreasonably or unnecessarily constitutes a navigational hazard or interferes with another vessel.²⁰ Anchoring under bridges or in or adjacent to heavily traveled channels constitutes interference if it is unreasonable under the prevailing circumstances.²¹ Interference with navigation is a noncriminal infraction and punishable by a fine of \$50.²²

With certain exceptions, the owner or operator of a vessel or floating structure may not anchor such that the nearest approach of the anchored or moored vessel or floating structure is:

- Within 150 feet of any marina, boat ramp, boatyard, or vessel launching or loading facility;
- Within 300 feet of a superyacht repair facility; or
- Within 100 feet outward from the marked boundary of a public mooring field or a lesser distance if approved by the local government within which the mooring field is located.²³

Local Regulation of the Anchoring of Vessels

Local governments are authorized to enact and enforce ordinances that prohibit or restrict the anchoring of floating structures²⁴ or live-aboard vessels²⁵ within their jurisdictions and vessels that are within the marked boundaries of permitted mooring fields.²⁶ However, they are prohibited from enacting, continuing in effect, or enforcing any ordinance or local regulation that regulates the anchoring of vessels, other than live-aboard vessels and commercial vessels, excluding commercial fishing vessels, outside the marked boundaries of permitted mooring fields.²⁷

Anchoring Limitation Areas

Current law designates certain densely populated urban areas that have narrow state waterways, residential docking facilities, and significant recreational boating traffic as anchoring limitation areas.²⁸ In these anchoring limitation areas, a person is prohibited from anchoring a vessel at any time during the period between one half-hour after sunset and one half-hour before sunrise.²⁹ However, a person may anchor in these anchoring limitation areas if:

- The vessel suffers a mechanical failure that poses an unreasonable risk of harm to the vessel or the people onboard unless the vessel anchors;
- Imminent or existing weather conditions in the vicinity pose an unreasonable risk of harm to the vessel or the people onboard unless the vessel anchors; or

¹⁹ Section [253.03\(7\), F.S.](#)

²⁰ Section [327.44\(2\), F.S.](#)

²¹ *Id.*

²² Section [327.73\(1\)\(j\), F.S.](#)

²³ Section [327.4109\(1\), F.S.](#)

²⁴ "Floating structure" means a floating entity, with or without accommodations built thereon, which is not primarily used as a means of transportation on water but which serves purposes or provides services typically associated with a structure or other improvement to real property. The term includes an entity used as a residence, place of business, or office with public access; a hotel or motel; a restaurant or lounge; a clubhouse; a meeting facility; a storage or parking facility; or a mining platform, dredge, dragline, or similar facility or entity represented as such. Section [327.02\(14\), F.S.](#)

²⁵ "Live-aboard vessel" means a vessel used solely as a residence and not for navigation; a vessel represented as a place of business or a professional or other commercial enterprise; or a vessel for which a declaration of domicile has been filed. The definition expressly excludes commercial fishing boats. Section [327.02\(23\), F.S.](#)

²⁶ Section [327.60\(2\)\(f\), F.S.](#)

²⁷ Section [327.60\(3\), F.S.](#)

²⁸ Section [327.4108, F.S.](#)

²⁹ Section [327.4108\(1\), F.S.](#)

- The vessel is attending a regatta, race, marine parade, tournament, exhibition,³⁰ or other special event, including, but not limited to, public music performances, local government waterfront activities, or a fireworks display.³¹

Current law also authorizes a county, except for Monroe County, to establish an anchoring limitation area adjacent to urban areas that have residential docking facilities and significant recreational boating traffic.³² The aggregate total of anchoring limitation areas in a county may not exceed 10 percent of the county's delineated navigable-in-fact waterways.³³ Each county anchoring limitation area must:

- Be less than 100 acres in size;³⁴
- Not include any mooring field or marina; and
- Be clearly marked with signs³⁵ and buoys.³⁶

A person may not anchor a vessel for more than 45 consecutive days in any six-month period in a county-established anchoring limitation area.³⁷

Anchoring limitation areas do not apply to vessels owned or operated by a governmental entity for law enforcement, firefighting, military, or rescue purposes; construction or dredging vessels on an active job site; vessels actively engaged in commercial fishing; or vessels engaged in recreational fishing, if the individuals on board are actively tending hook and line fishing gears or nets.³⁸

Boating-restricted Areas

Boating-restricted areas, including, but not limited to, restrictions of vessel speeds and vessel traffic, may be established on state waters for any purpose necessary to protect the safety of the public if such restrictions are necessary based on boating accidents, visibility, hazardous currents or water levels, vessel traffic congestion, or other navigational hazards, or to protect seagrasses on privately owned submerged lands.³⁹ FWC may, by rule, establish boating-restricted areas.⁴⁰

Municipalities and counties may establish, by ordinance, boating-restricted areas, including speed and wake restrictions, if certain conditions are met.⁴¹ Municipalities and counties may establish by ordinance additional boating-restricted areas for safety reasons and vessel exclusion zones for certain purposes.⁴²

Any ordinances establishing boating-restricted areas for safety purposes will not take effect until FWC has reviewed the ordinance and determined by substantial competent evidence that the ordinance is necessary to protect public safety.⁴³ FWC must review and act on any application within 90 days after receiving a completed

³⁰ Section [327.48, F.S.](#)

³¹ Section [327.4108\(3\), F.S.](#)

³² Section [327.4108\(2\)\(a\), F.S.](#)

³³ "Navigable-in-fact waterways" means waterways that are navigable in their natural or unimproved condition over which useful commerce or public recreation of a substantial and permanent character is or may be conducted in the customary mode of trade and travel on water. The term does not include lakes or streams that are theoretically navigable; have a potential for navigability; or are temporary, precarious, and unprofitable, but the term does include lakes or streams that have practical usefulness to the public as highways for transportation. *See* Section [327.4108\(2\)\(a\), F.S.](#)

³⁴ The calculated size of the anchoring limitation area does not include any portion of the marked channel of the Florida Intracoastal Waterway contiguous to the anchoring limitation area. *See* Section [327.4108\(2\)\(a\)1., F.S.](#)

³⁵ Signs must provide reasonable notice to boaters identifying the duration of time beyond which anchoring is limited and identifying the county ordinance by which the anchoring limitation area was created. *See* Section [327.4108\(2\)\(a\)3.a., F.S.](#)

³⁶ The county that has created an anchoring limitation area must install and maintain buoys marking the boundary of the anchoring limitation area. *See* Section [327.4108\(2\)\(a\)3.b., F.S.](#)

³⁷ Section [327.4108\(2\)\(b\), F.S.](#)

³⁸ Section [327.4108\(5\), F.S.](#)

³⁹ Section [327.46\(1\), F.S.](#)

⁴⁰ Section [327.46\(1\)\(a\), F.S.](#); *See* rule 68D-24, F.A.C.

⁴¹ Section [327.46\(1\)\(b\), F.S.](#)

⁴² Section [327.46\(1\)\(c\), F.S.](#)

⁴³ *Id.*

application.⁴⁴ Within 30 days after a municipality or county submits an application, FWC must advise the municipality or county as to what information, if any, is needed to deem the application complete.⁴⁵ An application is considered complete upon receipt of all requested information and correction of any error or omission for which the applicant was timely notified or when the time for such notification has expired. FWC's action on the application is subject to review under the Administrative Procedure Act.⁴⁶

Each boating-restricted area must be developed in consultation and coordination with the governing body of the county or municipality in which the boating-restricted area is located, and, when the proposed boating-restricted area is on the navigable waters of the U.S., with the U.S. Coast Guard and the U.S. Army Corps of Engineers.⁴⁷ Restrictions in a boating-restricted area do not apply in the case of an emergency or to a law enforcement, firefighting, or rescue vessel owned or operated by a governmental entity.⁴⁸

BILL HISTORY

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
Natural Resources & Disasters Subcommittee	13 Y, 3 N, As CS	3/25/2025	Moore	Gawin
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> • Specified a seaport is authorized to create no anchoring or mooring zones for uninsured boats anchored for more than 45 days within waters surrounding a seaport; • Revised the boundary of a designated no anchoring or mooring zone to be no more than 1,500 feet; and • Required, instead of authorized, FWC to consult with certain agencies when reviewing applications for a no anchoring or mooring zone. 			
Commerce Committee				
State Affairs Committee				

THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ *Id.*

⁴⁷ Section [327.46\(2\), F.S.](#)

⁴⁸ Section [327.46\(4\), F.S.](#)